

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SIMPLEAIR, INC.,

Plaintiff,

v.

AWS CONVERGENCE TECHNOLOGIES,
INC. ET. AL

Defendants.

Civil Action No. 2:09-cv-289 (CE)

**NOTICE OF PLAINTIFF'S OPPOSITION TO DEFENDANT RIM'S PROPOSED
COMPROMISE CONSTRUCTIONS**

On June 17, 2011, the Court held a claim construction hearing in this case. The evening before, Defendant RIM delivered to chambers the letter attached as Exhibit 1, setting forth RIM's proposed compromise constructions for certain disputed terms. Plaintiff has not had an opportunity to brief all issues raised by these proposed constructions, including, in particular, RIM's proposal for "an information source."

Accordingly, Plaintiff provides this notice to the Court that it opposes RIM's proposed compromise constructions for the reasons set forth in its briefing and additional reasons that Plaintiff has not had an opportunity to brief.

Dated: June 20, 2011

Respectfully submitted,

By: /s/ Jeff Eichmann

John Jeffrey Eichmann
CA State Bar No. 227472
(Admitted to practice in the Eastern
District of Texas)
Dovel & Luner, LLP
201 Santa Monica Blvd., Suite 600
Santa Monica, CA 90401
Telephone: 310-656-7066
Facsimile: 310-657-7069
Email: jeff@dovellaw.com

S. Calvin Capshaw
State Bar No. 03783900
Elizabeth L. DeRieux
State Bar No. 05770585
Capshaw DeRieux LLP
1127 Judson Road, Suite 220
Longview, TX 75601
Telephone: (903) 236-9800
Facsimile: (903) 236-8787
Email: ccapshaw@capshawlaw.com
Email: ederieux@capshawlaw.com

ATTORNEYS FOR PLAINTIFF,
SIMPLEAIR, INC.

Certificate of Service

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email, on this the 20th day of June, 2011.

/s/ Jeff Eichmann _____
John Jeffrey Eichmann